



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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ATLANTA, GEORGIA 30303-8960

November 19, 2013

Mr. William R. Henderson
District Planning and Environmental Manager
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

SUBJECT: Final Environmental Impact Statement for the St. Johns River Crossing
Project connecting the proposed SR 21/SR 23 Interchange in Clay County,
Eastward across the St. Johns River to I-95 in St. Johns County, Florida
CEQ No. 20130285

Dear Mr. Henderson:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Final Environmental Impact Statement (EIS) in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The Florida Department of Transportation (FDOT) and the Federal Highway Administration (FHWA) propose to construct a highway corridor and bridge crossing the St. Johns River beginning at the intersection of Branan Field-Chaffee Road and SR 21 in Clay County and ending at I-95 or SR 9B in St. Johns County, Florida.

The proposed action includes construction of a new highway corridor through a portion of Clay and St. Johns Counties. The total length of the proposed project is approximately 31.4 miles and will be a combination of four and six lanes. A total of ten build alternatives were considered along with a no build alternative. The Pink 1 Alternative was determined to be the preferred alternative. The Pink 1 Alternative consists of a 4-lane roadway section from Branan Field-Chaffee Road to the interchange with US 17 in Clay County and from CR 16A to I-95 in St. Johns County. The segment between US 17 and CR 16A uses a 6-lane roadway section. Interchanges along the Pink 1 Alternative are provided for in Clay County at SR 21, CR 739, the proposed CR 218 Bypass, SR 16, and US 17. Interchanges in St. Johns County are provided for at CR 16A, CR 2209, and I-95. The Pink 1 Alternative will include a new bridge across the St. Johns River near the existing Shands Bridge, which would be removed after the new bridge is completed.

The St. Johns River Crossing project will be combined with Branan Field-Chaffee Road for tolling purposes to make the new project toll feasible. A public-private partnership will be established in order to fund and construct the proposed project. A public-private partnership is a contractual arrangement whereby collaboration will be followed in the design, construction, operation, and financing of the transportation project. As the public sponsor, FDOT would shape the technical, legal, and financial aspects of the project.

The primary concerns raised by EPA in its review of the Draft EIS were related to significant direct and indirect impacts to wetlands and water quality. The EPA also raised concerns for impact to regulatory floodplains and wildlife and habitat. In addition, the EPA provided comments on noise impacts and mitigation, land use planning, socioeconomic and environmental justice, air quality, and contamination which occur in the project area as well as comments regarding cumulative impacts. The EPA appreciates the fact that many of its comments on the Draft EIS were addressed during the Draft Final and Final EIS phases. After review of the Final EIS, the EPA offers comments and recommendations summarized in this letter.

The Pink 1 Alternative will have significant direct impacts to approximately 518 acres of wetlands. There will be additional wetlands impacts in the project area due to the reduced functional value of wetlands and also additional impacts to open surface water areas. During the Draft EIS review phase, several resource agencies expressed an interest in working with FDOT in the development of a comprehensive wetlands mitigation plan. The EPA requested that FDOT establish an interagency technical advisory team to evaluate options to reduce and effectively mitigate wetland, wildlife, and water quality impacts. The Final EIS does not provide a detailed mitigation plan, but states that FDOT is committed to working with and coordinating with resource agencies and developing a regional wetland mitigation plan as the project progresses into the design phase. FDOT plans for a regional, umbrella approach to mitigation and the proposed mitigation will include a combination of mitigation banks and other mitigation projects that may include preservation, restoration and/or creation. The locations of four federally approved wetland mitigation banks are identified in the report. The EPA would like to reiterate its desire to be involved in the development of a wetlands mitigation plan as the project moves closer to the permitting phase. The Record of Decision (ROD) should include strict avoidance and minimization measures and mitigation commitments for wetlands and stream impacts.

In accordance with Executive Order 12898, federal actions must address environmental justice (EJ) in minority and low-income populations. Most federal agencies have made EJ part of their mission by identifying and addressing disproportionately high and adverse human health or environmental effects of programs, policies, and activities on minority and low-income populations. The Final EIS provides information relating to EJ communities which occur within or adjacent to the Pink 1 Alternative. It also includes measures to avoid or minimize effects of the project on EJ populations. The report illustrates the EJ areas located along the proposed roadway in southern Clay County which could be affected by tolling and displacement and relocation of residences and businesses. FDOT should continue to delineate potential EJ communities and ensure that these communities and those living in other EJ areas have the opportunity to participate in future public meetings, as stated in the Final EIS. The EPA recommends the project be planned, designed, and operated to ensure that there is not a disproportionate adverse impact on minority or low-income populations in the project area.

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, was issued to direct federal agencies to minimize environmental health and safety risks to children, and to prioritize the identification and assessment of environmental health and safety risks that may have a disproportionate impact on children. Future NEPA documents should identify the population of children living along each of the proposed alternatives and other

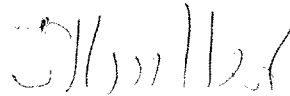
sensitive receptors such as preschools, childcare centers, and schools. The documents should include a cohesive discussion of the potential project impacts, including air quality and noise, in relationship to children's health and safety. The EPA recommends that transportation projects be planned, designed and operated to ensure that project impacts, including air quality and noise, in relationship to children's health and safety is minimized, especially in areas already impacted by higher levels of air pollution, disease (asthma), and other indicators of social vulnerability. The following web link (<http://yosemite.epa.gov/ochp/ochpweb.nsf/content/regs.htm>) provides more information on children's health.

In addition to the comments outlined above, the EPA offers these additional recommendations relating to the proposed project: 1) noise mitigation alternatives should be considered and implemented, where feasible, during project design and construction; 2) analysis of air toxics and near-roadway health impacts should continue to be evaluated, especially with regard to sensitive populations; 3) FDOT should work with local and regional planners in the development of compatible land use plans to avoid or minimize adverse secondary impacts to the human and natural environment; and, 4) commitments such as those outlined in Chapter 5 of the Final EIS should be included in the Record of Decision.

Pursuant to its authority under the Clean Water Act, the EPA requests to be part of the further development of mitigation plans for this project. In addition, the EPA requests to receive a copy of the final Record of Decision for this project.

We appreciate the opportunity to review the proposed action. Please contact Madolyn Dominy at (404)562-9644 if you want to discuss our comments.

Sincerely,



Heinz J. Mueller, Chief
NEPA Program Office
Office of Environmental Accountability

cc: Federal Highway Administration – Florida Division
U.S. Army Corps of Engineers – Jacksonville District
U.S. Fish and Wildlife Service – Jacksonville Office
National Marine Fisheries Service – Southeast Regional Office
Florida Department of Environmental Protection
Florida Fish and Wildlife Conservation Commission